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June 19, 2003

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JH CENTER 1600/2900

U.S Department of Commerce
Commissioner of Patents
Patent and Trademark Office
Washington, D.C. 20231

Reference Application No. 10/059,400
Confirmation No. 6086

Dear Sir,

Enclosed is a revision of my application along with a marked-up copy of the old application. Thanks to the help of your associates, I trust the revision will fulfill the needs set forth in the rejection of the original.

With Best Regards,

S. Christopher Early
4341 Harris Valley Rd. N.W.
Atlanta, Ga. 30327-3825
Tel. (404) 261-4069
FAX (404) 261- 2477

ORIGINAL Application



RECEIVED
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Title CHANGED to Pink Evergreen Magnolia
Hybrid Plant named 'Katie-O Early'
MAGNOLIA INTERGENERIC HYBRID NAMED
KATIE-O EARLY

Citizenship
ADDED.

INVENTOR

S. CHRISTOPHER EARLY

- full ADDRESS

FIELD OF SEARCHPlt./51

Latin NAME ADDED

REFERENCES CITED

U.S. PATENT DOCUMENTS

- P.P. 4,145 11/ 1977 Specht.....Plt. 51
P.P. 7,456 2/ 1991 Savage et al ..Plt 51

OTHER DOCUMENTS

- Mc Daniel , "J.C. "Variations in Sweet Bay Magnolias "
Treseder, Neil G. "Magnolias"
"Journal of the Magnolia Society "
"Journal of the Royal Horticultural Society "

St. change

PAGE NO. ADDED.
No. 1



CHANGED to

INVENTION ON REVISED APPLICATION
BACKGROUND OF A NEW PLANT

This invention relates to a new and distinct intergeneric hybrid of Manglietia insignis and Magnolia virginiana, both members of the magnolia family, Magnoliaceae. The distinct features of this hybrid are it's pink flowers on an evergreen plant. There are a number of ~~deciduous species~~ species of magnolia with pink flowers but no ~~evergreen American species~~ Manglietia insignis, from China, was secured as a cutting from the Strybing Arboretum in San Francisco over thirty years ago. The rooted cutting was subsequently planted in the atrium (enclosed garden) of the home of S. Christopher Early in Atlanta.

The Magnolia virginiana is a version of this species growing around Savannah, Ga. which blooms as a small plant. It's seedlings are often cut down by mowers clearing the roadside. Several of these seedlings were planted near the home of S. Christopher Early in Atlanta.

After several years the M. insignis bloomed and pollen from the M. virginiana was applied to the pistils of the M. insignis flowers over a two year period. A fertile seed pod subsequently appeared with several seed. From these seed have come six seedlings, one of which has bloomed and is the subject of this application. It and one of the other seedlings are over twelve feet tall. All of the siblings have survived cold spells over twenty five years down to as low as ten degrees F. The size of the bloom are between those of the two parents, about 12 cm. The seed pods from this plant do not form pollen nor do the pistils accept pollen but dry up after a week or so. This condition could change with more favorable growing conditions. Cuttings have been rooted and grafts have been made.

I have named the flower of this sibling, Katie-O Early, after my mother who was a great lover of people and flowers.

SUMMARY OF INVENTION (ON PAGE 3) CHANGED TO - **Specs of the plant**
 'Katie-O EARLY' HAVE NOT BEEN OBSERVED UNDER ALL ENVIRONMENTAL CONDITIONS. THE PHENOTYPE MAY VARY SOMEWHAT WITH VARIATIONS IN ENVIRONMENT AND CULTURE SUCH AS TEMPERATURE, LIGHT INTENSITY, ^{SUMMARY OF INVENTION} INFLORESCENCE, DAY LENGTHS, WATER STATUS, pH OF SOIL, MINERAL CONTENT, OF SOIL AND/OR FERTILIZER RATE OR TYPE, WITHOUT,

corolla 12 cm diameter

color Munsell Hue 2.5R 9/3 pale pink

cone 3-4 cm high

petals 8

fragrance scented

fertility sterile to date

time late spring

has been ^{of genotype} observed AND

to be the unique trait

of 'Katie-O EARLY' - PINK FLOWERS APPEARING

ON AN EVERGREEN TREE HYBRID MAGNOLIA PLANT. IT IS

OTHERWISE SIMILAR TO 60% OF IT'S PARENTS, PINK MANGLIETIA INSIGNIS

FLOWERING MAGNOLIA

FOLIAGE PERSISTENT EVERGREEN

HABIT SYMMETRICAL, OVAL PYRAMID, SINGLE LEADER

LEAVES ACUTE, 14-18 CM, UNDERSURFACE, LT. WHITE PUBESCENCE

COLOR, GREEN 5GY 4/3 MUNSELL HUE

HEIGHT 4 METERS FROM SEED AFTER 25 YEARS

HARDINESS HAS SURVIVED 10 DEGREES F IN ATLANTA

FLOWERS

AND WHITE

VIRGINIANA

1. COMPACT Parentage UPRIGHT PYRAMIDAL PLANT HABIT.

2. FREELY BRANCHING seed parent Manglietia insignis (Chinese origin) HABIT

pollen parent Magnolia virginiana, variety near Savannah

3. UPRIGHT INTERNAL which blooms as small plant

4. MEDIUM GREEN LEAVES classification both parents members of magnoliaceae

5. RAPID Propagation PLANT GROWTH.

UNDULINED softwood cuttings rooted BEEN INCLUDED IN NEW

SUBJECTS HAVE cleft grafts on magnolia

Detailed Botanical Description

ON PAGE 4 & 5 Description of Photographs included

ON PAGE 3. FIGURE 1, SHOWS A COLORED PHOTOGRAPH OF THE FLOWER OF MANGLIETIA INSIGNIS, THE FEMALE PARENT. FIGURE 2 SHOWS A COLORED PHOTOGRAPH OF TWO FLOWERS OF OUR NATIVE MAGNOLIA VIRGINIANA, THE MALE PARENT. FIGURE 3 SHOWS

A COLORED PHOTOGRAPH OF THE HYBRID PLANT OF KATIE-O EARLY.



SUMMARY OF INVENTION

Inflorescence	Outstanding feature	
corolla	12cm diameter	put on page
color	Munsell Hue 2.5R 9/3 pale pink	5 of revised
cone	3-4 cm high	application under
petals	8	Detailed Botanical
fragrance	scented	Description
fertility	sterile to date	
time	late spring	

Tree

foliage persistent evergreen
habit symmetrical, oval pyramid, single leader
leaves acute, 14-18 cm, undersurface, lt. white pubescence
color, green 5gy 4/3 Munsell hue
height 4 meters from seed after 25 years
hardiness has survived 10 degrees F in Atlanta

Parentage

seed parent *Manglietia insignis* (Chinese origin)
pollen parent *Magnolia virginiana*, variety near Savannah
which blooms as small plant
classification both parents members of magnoliaceae

Propagation

softwood cuttings rooted
cleft grafts on magnolia

CLAIM

I claim:

1. A new and distinct intergeneric hybrid of a pink flowered evergreen magnolia named, Katie-O Early, as illustrated and described.

CLAIM CHANGED AND PUT ON PAGE 6 of Revised application
I CLAIM:
1. A NEW AND DISTINCT INTERGENERIC
hybrid plant of a pink flowered, EVERGREEN MAGNOLIA
NAMED Katie-O Early AS ILLUSTRATED AND DESCRIBED



MAGNOLIA INTERGENERIC HYBRID NAMED
'KATIE-O EARLY'

INVENTOR S. CHRISTOPHER EARLY

FIELD OF SEARCHPlt./51

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Treseder, Neil G. "Magnolias"

"Journel of the Magnolia Society "

"Journal of the Royal Horticultural Society "

ABSTRACT

AN INTERGENERIC HYBRID MAGNOLIA NAMED
KATIE-O EARLY, PARTICULARLY CHARACTERIZED BY
HAVING PINK FLOWERS ON AN EVERGREEN TREE..

*Deleted and put on own PAGE 7
of REvised Application*
A New and distinct variety of Magnolia
plant named 'Katie-O Early' resulting
from a cross between two known
Magnolia plants having pink
and characteristic flowers.



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TITLE PINK EVERGREEN MAGNOLIA HYBRID PLANT
NAMED 'KATIE-O EARLY'

INVENTOR S. Christopher Early
4341 Harris Valley Rd.
Atlanta, Georgia 30327

CITIZENSHIP USA

LATIN NAME *Mangletia insignis* x *Magnolia virginiana*
'Katie-O Early'

FIELD OF SEARCH Plt./51

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